

# LORD HOWE ISLAND BOARD

## Development Application

Section 4.12, Environmental Planning and Assessment Act 1979

Date Received:

DA2021.2

18/2/2021

Development Application No.: ..... Date Lodged: .....

Use this form to apply for development consent to:

- Erect, alter or demolish a building or structure;
- Change the use of land or a building;
- Subdivide land;
- Display an advertisement;
- Any other development that requires consent from the Lord Howe Island Board.

To minimise delay in receiving a decision about your application, please ensure you submit all relevant information. To complete the form, please place a cross in the boxes  and fill out the sections provided as appropriate. When your application has been assessed, you will receive a Notice of Determination. If you need help please phone or call the Board's office and discuss your queries with a development officer.

### APPLICANT DETAILS

Mr  Mrs  Ms Other: .....

Name: Rod Oxley & Lisa Makiiti.

Organisation: ..... ABN: .....

Postal Address: [REDACTED]

Telephone: [REDACTED] Fax: .....

Email: [REDACTED]

### OWNER CONSENT

Has Owner Consent been issued?  Yes  No Owner Consent No.: .....

### IDENTIFY THE LAND YOU PROPOSE TO DEVELOP

Portion/Lot No.: Portions 4 & 2 Deposited Plan No.: 1216390

Lease No.: 2016/02

Address: .....

### PROPOSED DEVELOPMENT

Describe the proposed development; give a detailed outline of what you are going to do. If it involves a building, indicated what it will be used for.  
Boundary adjustment between Portion 5 4 and 2.

Building Material: ..... Roofing Material: .....

**PAST/PRESENT LAND USES**

State the past known uses of the site: Lot 2 grazing, Lot 4 part

State the present known uses of the site: commercial, part residential,

part grazing. unchanged.

**STAGED DEVELOPMENT**

You can apply for development consent for only part of your proposal now, and for the remaining part/s at a later time.

Are you applying for development consent in stages?  Yes  No

If yes please attach:

- Information which describes the stages of your development;
- A copy of any development consents you already have which relate to your development.

**PLANS OF THE LAND AND DEVELOPMENT**

You need to provide a number of different plans that show what you intend to do. Step 4 of the Development Application Guide sets out which plans to provide and the details to include. Please submit 1 copy of the plans with the application. Please attach:

- A site plan of the land, drawn to scale;
- Plans or drawings of the proposal, drawn to scale and, where relevant;
- An A4 size plan of the proposed building and other structures on the site;
- A plan of any existing buildings (and uses), drawn to scale.

**ENVIRONMENTAL EFFECTS OF YOUR DEVELOPMENT**

To assess your proposal, we need to understand the impacts it will have. Depending upon the nature and scale of your proposal, you need to provide one or more of the statements listed below to explain the environmental effects of your proposal.

Is your proposal likely to cause a major environmental impact (e.g. designated development)?

- Yes Please attach an environmental impact statement.
- No Please attach a statement of environmental effects (SEE).

Is your proposal likely to cause have significant effect on threatened species, populations, ecological communities or their habitats?

- Yes Please attach a species impact statement.
- No

**SUPPORTING INFORMATION**

You can support your application with additional material such as photographs (including aerial photographs), slides and models to illustrate your proposal.

Please list what you have attached.

- site plan showing boundary adjustment, and new area measurements for Lots 2 and 4.

- compliance measurements for Lot 4.

*NOTE: It will be necessary for you to place pegs showing the location of all building extremities and height of buildings within seven days of lodging your development application. These pegs will allows inspection by Board staff at an early stage of your development assessment.*



**APPLICATION FEE**

For development that involves a building or other work, the fee for your application is based on the estimated cost of the development. If your development needs to be advertised to the public you may also need to include an advertising fee. Clauses 246 to 263 of the Environmental Planning and Assessment Regulation 2000 provide a schedule of fees.

*NOTE: Fees will be calculated in accordance with Cordell's Building estimates and will form the basis for the fee. To save time and any delays in processing your application, please contact us if you need help to calculate the fee for your application.*

Estimated cost of the development: .....  
Total fees lodged: \$110.00 Date: 18/2/2021 Receipt No.: 18180

**APPLICANT/S OR APPLICANT'S AGENT DECLARATION**

Have you or any associated persons with a financial interest in this application in the last two years made any political donations or given any gifts to any local Board Member or Board employee?  Yes  No

If you ticked yes please fill out a Political Donations and Gift Disclosure Statement.

IMPORTANT NOTICE: It is an offence under the EP&A Act 1979 if you fail to disclose reportable donations and gifts.

**LEASEHOLDER AUTHORISATION – All leaseholder/s of the land must sign this application.**

As the leaseholder/s of the above property, I/we consent to this application.

Signature: [Redacted] Signature: [Redacted]  
Name: Lisa Makiiti Name: Rod Oxley  
Date: 12-2-2021 Date: 12-2-2021

**APPLICANT AUTHORISATION – The applicant/s or the applicant's agent must sign the application.**

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that, if incomplete, the application may be delayed or rejected and more information may be requested within 21 days of lodgement.

Signature: [Redacted] Signature: [Redacted]  
Name: Lisa Makiiti Name: Rod Oxley  
Date: 12-2-2021 Date: 12-2-2021

State the capacity in which you are signing if you are not the applicant: .....

**PRIVACY POLICY**

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the Environmental Planning and Assessment Act 1979 and other applicable state legislation. If the information is not provided, your application may not be accepted.

If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Your application, and any attached plans will be published on the Lord Howe Island Board website. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.

Documentation provided with an application may also be accessed in accordance with the requirements of the Government Information Access (GIPA) Act 2009.

## LODGEMENT

Before submitting your application, please ensure you have attached all the information the consent authority needs to assess your proposal. You can use the following checklist. Please place a cross in the box  next to any items you have attached:

### Plans

- A site plan of the land — **all applications**
- Plans or drawings of the proposal showing all dimensions — **all applications**
- An A4 size plan of the proposed building and other structures on the site - **all applications**
- A plan which is drawn to scale of all existing buildings.

### Environmental effects

- An environmental impact statement for a designated development proposal and an electronic version of the executive summary
- A statement of environmental effects — **required for all applications** that are not designated development
- An environmental report — **if required under clause 42 of the LHI LEP 2010**. Contact the Board to see if you need to prepare an environmental report.
- A species impact statement
- A Basix Certificate – The Building Sustainability Index (BASIX) applies to all residential dwelling types and is part of the development application process in NSW. A BASIX certificate **MUST** be obtained for “**BASIX affected development**”. For further information please refer to [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)
- Electrical supply form must be completed (for new / alteration / addition to existing supply).

### Staged development

- Information which describes the stages of the development
- A copy of any consents already granted for part of the development

### Supporting information

- Other material to support your application, such as photos, slides and models. *Please ensure any items listed as an Advisory Note as part of the Owner Consent approval have been addressed.*

### Application fee

- Your application fee — **required for all applications.**

### Where to lodge your application

You can lodge your completed application form, together with attachments and fees at the Lord Howe Island Board's office.

## CONTACT DETAILS FOR YOUR INFORMATION

### Lord Howe Island Board

Bowker Avenue  
(PO Box 5)  
LORD HOWE ISLAND NSW 2898  
Phone: 02 6563 2066  
Fax: 02 6563 2127  
Email: [administration@lhib.nsw.gov.au](mailto:administration@lhib.nsw.gov.au)  
Website: [www.lhib.nsw.gov.au](http://www.lhib.nsw.gov.au)

### Lord Howe Island Marine Park Authority

Phone: 02 6563 2359  
Fax: 02 6563 2367  
Email: [lordhowe.marinepark@npws.nsw.gov.au](mailto:lordhowe.marinepark@npws.nsw.gov.au)  
Website: [www.mpa.nsw.gov.au](http://www.mpa.nsw.gov.au)

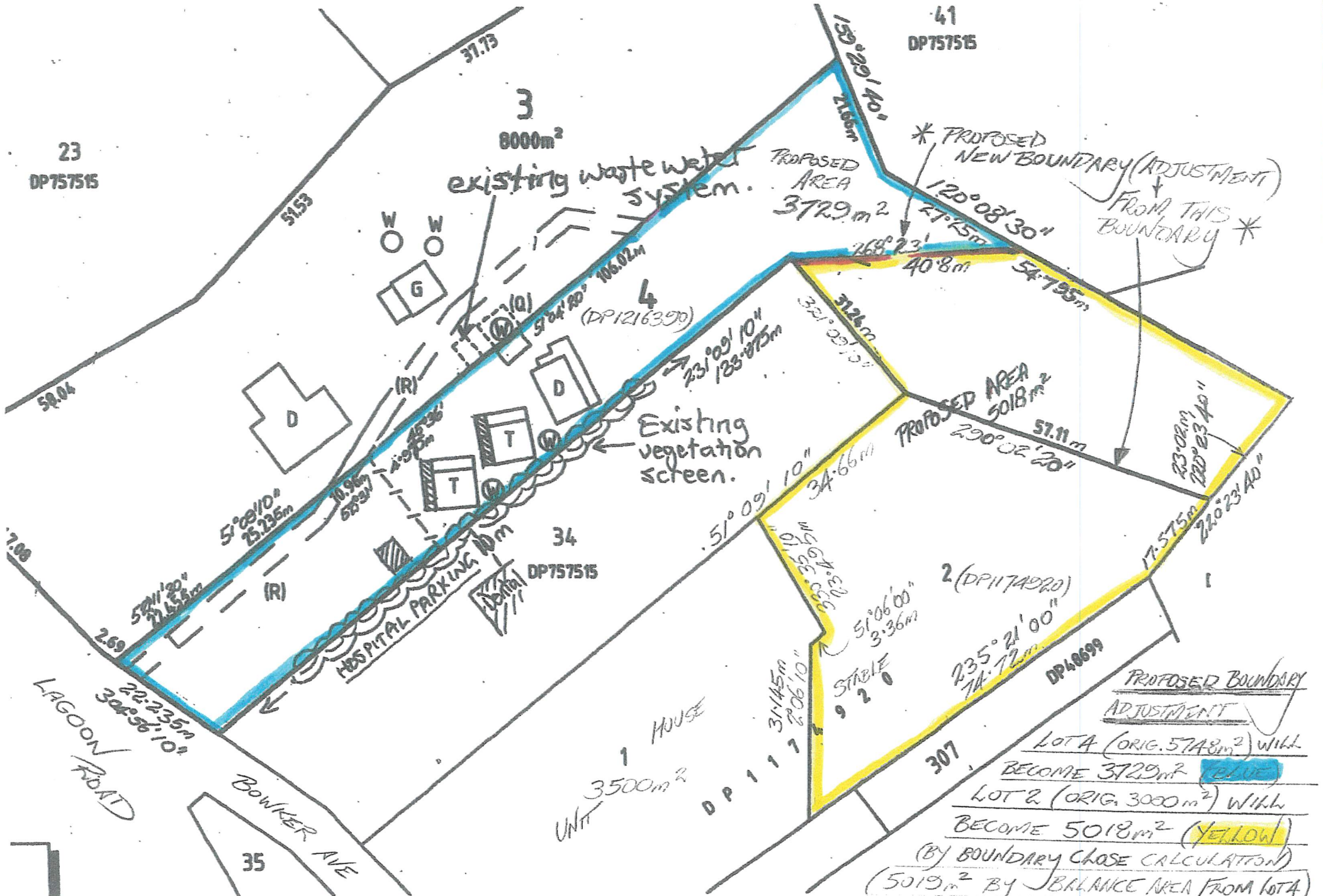
### Department of Infrastructure, Planning and Natural Resources – General Enquiries

Phone: 02 9228 6111  
Email: [infocentre@dipnr.nsw.gov.au](mailto:infocentre@dipnr.nsw.gov.au)  
Website: [www.dipnr.nsw.gov.au](http://www.dipnr.nsw.gov.au)

### Department of Infrastructure, Planning and Natural Resources – North Coast Office

49 Victoria Street  
(PO Box 6)  
GRAFTON NSW 2460  
Phone: 02 6642 0622  
Email: [northcoast@dipnr.nsw.gov.au](mailto:northcoast@dipnr.nsw.gov.au)  
Website: [www.dipnr.nsw.gov.au](http://www.dipnr.nsw.gov.au)  
BASIX Certificate: [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)





23  
DP757515

3  
8000m<sup>2</sup>  
existing waste water system.

41  
DP757515

\* PROPOSED NEW BOUNDARY (ADJUSTMENT) FROM THIS BOUNDARY \*

PROPOSED AREA  
3729m<sup>2</sup>

PROPOSED AREA  
5018m<sup>2</sup>

Existing vegetation screen.

34  
DP757515

HOUSE  
UNIT  
3500m<sup>2</sup>  
DP 1 1 1 2 2 06 10

2 (DP1174920)

DP48699

307

PROPOSED BOUNDARY ADJUSTMENT

LOT 4 (ORIG. 5748m<sup>2</sup>) WILL BECOME 3729m<sup>2</sup> (BLUE)

LOT 2 (ORIG. 3000m<sup>2</sup>) WILL BECOME 5018m<sup>2</sup> (YELLOW)

(BY BOUNDARY CHOSE CALCULATION)  
(5019m<sup>2</sup> BY BALANCE AREA FROM LOT 4)  
(DRAWN BY GARY MULLMAN)

Boundary adjustment showing compliance of new Lot 4 (3729 sq m) with LEP Clause 21.

Total build area of Lagoon Landing is 109.22 sq m as follows-

Two houses, ex deck, are 47.16 sq m each = 94.32 sq m

Utility building is 14.9 sq m

On the basis of 15% site coverage this equates to:  $109.22 \text{ sq m} / 0.15 = 728 \text{ sq m}$

The residence requires 3000 sq m, making total site area required 3728 sq m

# LORD HOWE ISLAND BOARD

## Statement of Environmental Effects

A Statement of Environmental Effects must be completed and submitted with your development application, this is a requirement under the *Environmental Planning & Assessment Act 1979*. The Statement of Environmental Effects report explains the likely impacts of the development proposal taking into consideration relevant planning and environmental matters. If you require any clarification about what information needs to be included, please contact the Board's office on (02) 6563 2066.

Failure to submit a completed Statement of Environmental Effects report will result in the development application being rejected or incurring unnecessary delays before the application can be determined.

### APPLICANT DETAILS

Name: Rod Oxley & Lisa Makiiti

### PROPOSED DEVELOPMENT

Portion/Lot No.: Portions 2 & 4 Deposited Plan No.: 1216390

Lease No.: 2016/02

Address: Lagoon Rd Lord Howe Island NSW 2898.

Please tick the type/s of development you are applying for:

- |   |  |
|---|--|
| <input type="checkbox"/> Dwelling House                 | <input type="checkbox"/> Shed or Garage  |
| <input type="checkbox"/> Additions to Dwelling House    | <input type="checkbox"/> Dual Occupancy  |
| <input type="checkbox"/> Home Business                  | <input type="checkbox"/> Additions to Dual Occupancy                                   |
| <input type="checkbox"/> Commercial                     | <input checked="" type="checkbox"/> Subdivision including <u>Boundary Realignments</u> |
| <input type="checkbox"/> Other – please describe: ..... |  |

### DEVELOPMENT DESIGN ATTRIBUTES

EXISTING BUILDINGS n/a.

What buildings and/or structures already exist on the subject site? Existing structures located on the subject site (including their gross floor area where applicable) as well as adjoining properties need to be shown on a site plan. Please show floor space.

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**DEVELOPMENT CONSENTS**

n/a

If known, please list previous development and building approvals for the last 10 years which are considered relevant to this application. If necessary please consult Board staff.

DA Number	Development Description	Date of Consent

**OWNERS CONSENT**

Please provide the reference number for the Owners Consent application. Please confirm that all conditions of owners consent have been met for this development application.

.....

**DEVELOPMENT REQUIREMENTS**

n/a

**DWELLINGS/RESIDENTIAL**

Does your development comply with the **maximum gross floor area** and the **minimum dwelling area** (under Clause 20 & 23 LHI Local Environmental Plan 2010)? If yes, this must be demonstrated below.

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Please specify if your development complies with the enlargements or extensions of a dwelling (under clause 27 LHI Local Environmental Plan 2010)? If yes, this must be demonstrated below.

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**COMMERCIAL**

Please specify if your development complies with the requirements in Clause 22 for tourist accommodation, staff accommodation and commercial premises? If yes, this must be demonstrated below.

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**ALL BUILDINGS – MAXIMUM BUILDING HEIGHT**

Please specify if your development complies with the maximum building height (under clause 29 LHI LEP 2010)? If yes, this must be demonstrated below.

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**SUBDIVISION**

Boundary adjustment.

Please specify if your development complies with the subdivision requirements under clause 21 of LHI LEP 2010? If yes, this must be demonstrated below.

Portion 2 new area 3729 sq m (3000 for residence, 729 for tourism business as per attached measurements)

Portion 4 new area 5018 sq m.

**ZONING**

all zone 2.

Does your development meet the objectives of the zone in which the site is in? Please provide how the development meets these objectives (clause 13-19 LHI LEP 2010).

**ENERGY EFFICIENCY**

n/a

Does the development achieve the minimum BASIX requirements? To determine whether a BASIX certificate needs to be submitted with your application, please refer to [www.basix.nsw.gov.au/information/index.jsp](http://www.basix.nsw.gov.au/information/index.jsp). Each development application for a residential dwelling and each development application for alterations and additions must have a BASIX certificate.

**BOUNDARY SETBACKS**

n/a

How far is your development setback from the front boundary?

How far is your development setback from the side and rear boundaries?

Does the development comply with the Board's minimum setback requirements? If no, provide reasons why the development should be supported?

**LANDSCAPING**

n/a

Please specify if the development complies with the landscaping requirements for Zone 2 land (clause 33 LHI LEP 2010)? If yes, this must be demonstrated below.

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**LAND ADJACENT TO ZONE 7 OR 8**

n/a

Please specify if your development complies with the requirements for land adjacent to Zone 7 or 8 (under clause 34 LHI LEP 2010)? If yes, this must be demonstrated below.

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**CONSTRAINTS**

**FORESHORE DEVELOPMENT**

n/a

Is your land within the foreshore development area? If yes, please how the development complies with foreshore development requirements (Clause 35 LHI LEP 2010).

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**AIRCRAFT NOISE**

n/a

Is your land subject to the Australian Noise Exposure Forecast? If yes, the development may need to include an Acoustic Report with the application.

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**FLOODING**

n/a

Is your land flood prone? If yes, what measures will be undertaken to ensure that:

- water is efficiently drained from your property without impacting upon any adjoining neighbours.
- the proposed development will not be adversely affected by flooding.

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**HERITAGE**

n/a

Is the development listed as a heritage item, located in a heritage conservation area or located adjacent to any known heritage item or archaeological site? If yes, a Statement of Heritage Impact and referral to NSW Heritage Branch may be required.

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**SIGNIFICANT VEGETATION**

n/a

Will the development require the removal of any vegetation in areas mapped as 'significant vegetation' in LHI LEP 2010 Sheet 3 as well as the proposed 'significant vegetation' map on exhibition? If yes, the proposed development may be prohibited.

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.....  
.....

**RETENTION OF TREES AND LANDSCAPING**

n/a

Will the development require the removal of any native trees and/or shrubs? If yes, please specify how many trees/shrubs need to be removed and indicate their location on the site/landscape plan.

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**RECOVERY PLANS AND HABITAT AREAS**

n/a

Is the development consistent with approved Recovery Plans for the island? Does the development have any impacts on threatened species? If the answer to this question is yes then an Environmental Report, a seven part test or a Species Impact Statement may be required (Clause 42 of LHI Local Environment Plan 2010). It is important to remember that it is illegal to clear, modify, underscrub or remove any vegetation within areas of identified habitat.

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Can the development be sited to retain existing vegetation? If no, explain why this is not possible.

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Do you intend to provide any landscaping to compensate for the removal of vegetation? If yes, please include a landscape plans specifying the species to be used. If no, please explain why supplementary landscaping is not necessary.

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**VISUAL APPEARANCE** n/a

Explain how the external appearance of the development has been designed to take into consideration of the adjoining properties and character of the area.

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**VISUAL AND ACOUSTIC PRIVACY** n/a

Describe how the development has been designed to reduce any possible impact on the visual or acoustic privacy of adjoining properties. Consider the use of screening, landscaping, offsetting windows and balconies.

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**SOLAR ACCESS** n/a

Has the development been designed so that the main indoor and outdoor living spaces face north and east to take advantage of solar access? If yes, please specify the parts of the dwelling facing north and east.

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Does the development overshadow adjoining properties? n/a

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**VIEWS**

Does the development obstruct any views from adjoining properties?

n/a

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.....  
.....

Is it possible to site the development to minimise the obstruction of views? If no, explain why this is not possible.

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.....

**PARKING AND TRAFFIC**

n/a

How many on-site parking spaces are existing and how many will result from the proposed development?

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.....

Does the development provide adequate manoeuvring areas without impacting on existing access and parking arrangements? If no, please justify why the development should be supported.

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.....

**EARTHWORKS AND RETAINING WALLS**

n/a

Does the site need to be excavated or filled? If yes, specify the maximum retaining wall heights and type of construction. Retaining wall details need to be shown on the development plans.

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**WASTEWATER MANAGEMENT**

n/a

Have you completed the Lord Howe Island Board Onsite Wastewater Management System checklist for Applicants and submitted with this application?

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